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PATENT APPLICATION

ATTORNEY DOCKET NO. 10012573-1

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Thane M. Larson et al.

Confirmation No.:

Application No.: 09/924,029

Examiner: Dung C. Dinh

Filing Date: August 7, 2001

Group Art Unit: 2152

Title: **SYSTEM AND METHOD FOR PROVIDING NETWORK ADDRESS INFORMATION IN A SERVER SYSTEM**

Mall Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on November 7, 2005.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500 . At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Typed Name: Jeff A. Holmen

Signature: Jeff A. Holmen

Respectfully submitted,

Thane M. Larson et al.

By: Jeff A. Holmen

Jeff A. Holmen

Attorney/Agent for Applicant(s)

Reg No. : 38,482

Date : January 3, 2006

Telephone : (612) 573-0178

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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Applicant: Thane M. Larson et al. Examiner: Dung C. Dinh
Serial No.: 09/924,029 Group Art Unit: 2152
Filed: August 7, 2001 Docket No.: 10012573-1 (H300.171.101)
Due Date: **January 7, 2006**
Title: **SYSTEM AND METHOD FOR PROVIDING NETWORK ADDRESS
INFORMATION IN A SERVER SYSTEM**

APPEAL BRIEF UNDER 37 C.F.R. §41.37

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This Appeal Brief is submitted in support of the Notice of Appeal filed on November 7, 2005, appealing the final rejection of claims 1-20 of the above-identified application as set forth in the Final Office Action mailed August 12, 2005.

The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 08-2025 in the amount of \$500.00 for filing a Brief in Support of an Appeal as set forth under 37 C.F.R. §41.20(b)(2). At any time during the pendency of this application, please charge any required fees or credit any overpayment to Deposit Account No. 08-2025.

Appellant respectfully requests consideration and reversal of the Examiner's rejection of pending claims 1-20.

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SERVER SYSTEM

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REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellant that will have a bearing on the Board's decision in the present Appeal.

STATUS OF CLAIMS

In a Final Office Action mailed August 12, 2005, claims 1-20 were finally rejected. Claims 1-20 are pending in the application, and are the subject of the present Appeal.

STATUS OF AMENDMENTS

No amendments have been entered subsequent to the Final Office Action mailed August 12, 2005. A Response After Final was filed on October 10, 2005, but no amendments to the claims were proposed by Appellants or entered by the Examiner.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The Summary is set forth as an exemplary embodiment as the language corresponding to independent claims 1, 9, and 15. Discussions about elements of claims 1, 9, and 15 can be found at least at the cited locations in the specification and drawings.

The present invention, as claimed in independent claim 1, provides a server system that includes a plurality of host processor cards. A management card is coupled to the plurality of host processor cards via at least one bus. The management card includes at least one user interface for receiving network address information from a user. The management card is configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications. (See, e.g., specification at page 2, line 27 to page 5, line

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24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

The present invention, as claimed in independent claim 9 provides a server management card for a server system having a plurality of host processor cards. The server management card includes at least one user interface for allowing a user to enter network address information. At least one I²C bus connection connects the server management card to the plurality of host processor cards via at least one I²C bus. A controller is configured to output entered network address information to the plurality of host processor cards via the at least one I²C bus connection, thereby configuring the plurality of host processor cards for network communications. (See, e.g., specification at page 2, line 27 to page 5, line 24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

The present invention, as claimed in independent claim 15, provides a method of configuring host processor cards in a server system for management network communications. The method includes providing a management card in the server system having at least one user interface, providing at least one bus connecting the management card and the host processor cards, entering network address information to the management card through the at least one user interface, and sending entered network address information from the management card to the host processor cards, thereby configuring the host processor cards for management network communications. (See, e.g., specification at page 2, line 27 to page 5, line 24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- I. Claims 1-7, 9-13, and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284.

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- II. Claims 8, 14, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein, U.S. Patent No. 6,678,284, and Liu, U.S. Patent No. 6,185,110.

ARGUMENT**I. The Applicable Law**

The Examiner has the burden under 35 U.S.C. §103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Three criteria must be satisfied to establish a *prima facie* case of obviousness. First, the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would teach, suggest, or motivate one to modify a reference or to combine the teachings of multiple references. *Id.* Second, the prior art can be modified or combined only so long as there is a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Third, the prior art reference or combined prior art references must teach or suggest all of the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). These three criteria are also set forth in §706.02(j) of the M.P.E.P.

II. Rejection of Claims 1-7, 9-13, and 15-19 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein

The Examiner rejected claims 1-7, 9-13, and 15-19 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284 ("Verthein"). Appellants submit that the Examiner has not established a *prima facie* case of obviousness of claims 1-7, 9-13, and 15-19.

A. Rejection of Claims 1 and 7 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein

In the Office Action mailed February 10, 2005, the Examiner stated the following regarding claim 1:

As per claim 1, a server system with plurality of host processing cards and manual assignment of IP addresses to the host processing cards are

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admitted prior art (Applicant's specification page 1). The admitted prior art does not have a management card with user interface for manual assignment of the IP addresses. In similar field of invention, Verthein teaches providing a general purpose computing card in the server chassis coupled to plurality of network service cards via the internal chassis bus. The general purpose computing card is installed with management software. This provides for improve network management and reduces access and processing time. (See Verthein col.2 lines 55-62, col. 3 lines 5-8). Hence, given the teaching of Verthein, one of ordinary skill in the art would have been motivated at the time of the invention to have a management card in the chassis of the prior art server system for managing the host processor cards in the chassis because it would have eliminated (sic) the need for connecting an external terminal to the chassis and improved management and reduced access time to the host processing cards in the chassis. (Office Action mailed February 10, 2005 at pages 2-3).

Independent claim 1 recites "the management card including at least one user interface for receiving network address information from a user". Applicant did not admit that this limitation is prior art. As the Examiner pointed out, Verthein discloses a general purpose computing card 24. However, there is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) includes at least one user interface for receiving network address information from a user.

Independent claim 1 also recites "the management card configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications." Applicant did not admit that this limitation is prior art. There is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) is configured to send received network address information to a plurality of host processor cards via a bus, thereby configuring the host processor cards for management LAN communications. Thus, the cited prior art, either alone, or in combination, does not teach or suggest each and every limitation of independent claim 1.

One of the requirements of establishing a *prima facie* case of obviousness is that "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143. Even if the computing card 24 disclosed in Verthein were incorporated into a server system with a plurality of host processor cards, which the Examiner appeared to propose despite no suggestion in the cited prior art to make such a

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combination, this combination does not teach or suggest all of the claim limitations. The cited prior art does not teach or suggest that the computing card 24 could or should be configured to receive network address information from a user. The cited prior art also does not teach or suggest that the computing card 24 could or should send received network address information to a plurality of host processor cards via a bus, and thereby configure the host processor cards for management LAN communications. Applicant respectfully submits that a *prima facie* case of obviousness of claim 1 has not been established. Simply pointing out that the computing card 24 is "installed with management software" does not establish a *prima facie* case of obviousness, as this does not teach or suggest the claim limitations addressed above.

In the Final Office Action, the Examiner stated the following:

Applicant argued that there is no teaching or suggestion in Verthein that the computing card 24 is configured to send received network address information to a plurality of host processor cards via a bus. The argument is not persuasive. As admitted by Applicant in the background disclosure, it is known in the art to manually assign IP to host processing cards. This is a conventional configuration procedure. The admitted prior art system uses RS-323 (sic) interface as the interface to configure these host processing cards. Verthein teaches an improved method for network management by providing a computing card in direct communication with the internal chassis bus for carrying out management function [see col. 2, lines 55-60.] Hence, it is clear from Verthein teaching that configuration information is transmitted to cards in the chassis via the internal chassis bus (see col. 3 lines 1-7 and 9-14). Given the teaching of Verthein, it clearly would have been obvious to use Verthein computing card to manage a chassis containing host processing cards such as that of the admitted prior art system. Since part of the management of the host processing cards is the manual assignment of IP addresses, it is apparent that IP addresses assignment input by the administrator would be transmitted from the Verthein computing card to the processing cards via the chassis internal bus. (Final Office Action at pages 2-3) (emphasis added).

The Examiner made several statements (highlighted above) that are not supported by any disclosure in the cited prior art. Each of these statements is addressed below.

The Examiner stated in the above block quote that "it is clear from Verthein teaching that configuration information is transmitted to cards in the chassis via the internal chassis

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bus”, and in support of this statement, the Examiner cited Verthein at col. 3, lines 1-7 and 9-

14. Verthein at col. 3, lines 1-7 and 9-14 discloses the following:

...computing platform to run network server programs on the operating system locally, i.e., in the communication chassis; computing functionality that has been provided only by remote computers on a local area network in the prior art is incorporated into the communications chassis itself, providing for improved network management, increased network security and reduced access and processing time, all in a

In a preferred form, the chassis comprises a plurality of slots receiving cards incorporating therein the telephone interface, network interface and the signal conversion system, and wherein the communications chassis further comprises at least one card, insertable into said one of the slots, having incorporated therein the general purpose computing platform.

Contrary to the Examiner’s statement, there is nothing in these portions of Verthein regarding transmitting configuration information to cards in the chassis via the internal chassis bus. These cited portions of Verthein do not even mention configuration information.

In the above block quote, the Examiner also cited Verthein at col. 2, lines 55-60, which discloses the following:

A general purpose computing platform is installed in the communications chassis. The general purpose computing platform further comprises an interface providing direct communication access between the general purpose computing platform and the internal chassis bus, allowing access and control by the computing platform of the signal conversion system, the telephone interface, and/or the network interface.

There is also nothing in this cited portion of Verthein to support the Examiner’s statement that “configuration information is transmitted to cards in the chassis via the internal chassis bus”. This cited portion of Verthein also does not even mention configuration information.

Even if Verthein did teach transmitting configuration information to cards in the chassis via the internal chassis bus, which the Examiner has stated without identifying any supporting disclosure, this still does not teach or suggest the limitations of the independent claims addressed above. The independent claims do not simply recite transmitting “configuration information”. Rather, claim 1, for example, recites “the management card configured to send received network address information to the plurality of host processor

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cards via the at least one bus, thereby configuring the host processor cards for management LAN communications.” Applicant did not admit that this limitation is prior art, and there is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) could or should be configured to send received network address information to a plurality of host processor cards via a bus, thereby configuring the host processor cards for management LAN communications.

The Examiner also stated in the above block quote that “[g]iven the teaching of Verthein, it clearly would have been obvious to use Verthein computing card to manage a chassis containing host processing cards such as that of the admitted prior art system.” It is unclear what teaching in Verthein the Examiner is relying on to support this statement. The portions of Verthein addressed above provide no such support. The Examiner has identified no teaching or suggestion in Verthein that the general purpose computing card 24 could or should be configured to manage a plurality of host processor cards in a server system.

The Examiner further stated in the above block quote that “[s]ince part of the management of the host processing cards is the manual assignment of IP addresses, it is apparent that IP addresses assignment input by the administrator would be transmitted from the Verthein computing card to the processing cards via the chassis internal bus.” Again, there is nothing in the cited prior art to support this statement. Since no prior art citation has been provided to support this statement, it is unclear to Applicant why it is “apparent” to the Examiner that IP address assignments input by an administrator would be transmitted from the Verthein computing card to processing cards via a chassis internal bus. The “admitted prior art” does not teach or suggest this. Rather, as Applicant pointed out in the Background of the Invention section of the present Application, most solutions in the marketplace use a separate RS232 serial port connection to every host processor card. The “admitted prior art” does not teach or suggest that IP address assignments input by an administrator would be transmitted from a computing card to processing cards via a chassis internal bus. Likewise, the Examiner has identified no disclosure in Verthein that teaches or suggests that IP address assignments input by an administrator would be transmitted from a computing card to processing cards via a chassis internal bus.

Applicant respectfully submits that reliance on such unsupported statements and speculation does not establish a *prima facie* case of obviousness.

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In view of the above, independent claim 1 is not taught or suggested by the cited prior art, either alone, or in combination. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 1, and the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 2-7 further limit patentably distinct claim 1, and are believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 2-7, and the rejection of claims 2-7 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 2-6 are also further distinguishable over the cited prior art, as addressed in further detail below.

B. Rejection of Claim 2 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Vertheim

Dependent claim 2 recites "the server system of claim 1, wherein the at least one bus is an I²C bus." The Examiner acknowledged that the cited prior art does not teach or suggest this limitation. (Office Action mailed February 10, 2005, at page 3). Since dependent claim 2 is not taught or suggested by the cited prior art, claim 2 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 2, and the rejection of claim 2 under 35 U.S.C. § 103(a) should be withdrawn.

C. Rejection of Claim 3 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Vertheim

Dependent claim 3 recites "the server system of claim 2, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus." The Examiner acknowledged that the cited prior art does not teach or suggest this limitation. (Office Action mailed February 10, 2005, at page 3). Since dependent claim 3 is not taught or suggested by the cited prior art, claim 3 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 3, and the rejection of claim 3 under 35 U.S.C. § 103(a) should be withdrawn.

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D. Rejection of Claim 4 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Vertheim

Dependent claim 4 recites “the server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.” Regarding dependent claim 4, the Examiner stated that “since the management card is for managing the host processing cards in the chassis. It would have been obvious to use the management card to send other configuration data beside the IP addresses to the host processing cards.” (Office Action mailed February 10, 2005, at pages 3-4). There is no teaching or suggestion in Vertheim that the computing card 24 “is for managing the host processing cards in the chassis”. The Examiner has not identified any disclosure in Vertheim that teaches or suggests sending IP addresses “or other configuration data” from the computing card 24. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 4. Since dependent claim 4 is not taught or suggested by the cited prior art, claim 4 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 4, and the rejection of claim 4 under 35 U.S.C. § 103(a) should be withdrawn.

E. Rejection of Claim 5 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Vertheim

Dependent claim 5 recites “the server system of claim 1, wherein the network address information includes internet protocol (IP) address information.” With respect to claim 5, the Examiner stated that “manual assignment of IP address to the host processing card is in the admitted prior (see Applicant’s specification page 1).” (Office Action mailed February 10, 2005, at page 5). The “admitted prior art” does not teach or suggest a management card configured to send received network address information to a plurality of host processor cards via at least one bus. The “admitted prior art” does not teach or suggest a management card configured to send received internet protocol (IP) address information to a plurality of host processor cards via at least one bus. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 5. Since dependent claim 5 is not taught or

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suggested by the cited prior art, claim 5 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 5, and the rejection of claim 5 under 35 U.S.C. § 103(a) should be withdrawn.

F. Rejection of Claim 6 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Vertheim

Dependent claim 6 recites "the server system of claim 5, wherein the IP address information includes an IP address, gateway address, subnet address, and host name." The Examiner has not identified any prior art that teaches or suggests the limitations of claim 6. Since dependent claim 6 is not taught or suggested by the cited prior art, claim 6 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 6, and the rejection of claim 6 under 35 U.S.C. § 103(a) should be withdrawn.

G. Rejection of Claim 9 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Vertheim

Independent claim 9 recites "at least one user interface for allowing a user to enter network address information" and "a controller configured to output entered network address information to the plurality of host processor cards via the at least one I²C bus connection, thereby configuring the plurality of host processor cards for network communications." With respect to claim 9, the Examiner stated that "[a]s per claims 9-13, they are rejected under similar rationale as for claims 1-6 above." (Office Action mailed February 10, 2005 at page 4). For at least the reasons set forth above with respect to claim 1, the above-quoted limitations of independent claim 9 are also not taught or suggested by the cited prior art, either alone, or in combination. In addition, the Examiner has acknowledged with respect to dependent claim 2 that the cited prior art does not teach or suggest "wherein the at least one bus is an I²C bus." (Office Action mailed February 10, 2005, at page 3).

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Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 9, and the rejection of claim 9 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 10-13 further limit patentably distinct claim 9, and are believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 10-13, and the rejection of claims 10-13 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 10-13 are also further distinguishable over the cited prior art, as addressed in further detail below.

H. Rejection of Claim 10 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Vertheim

Dependent claim 10 recites “the server management card of claim 9, wherein the at least one I²C bus is an intelligent platform management interface (IPMI) I²C bus.” The Examiner stated that “[a]s per claims 9-13, they are rejected under similar rationale as for claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). The Examiner acknowledged with respect to claim 3 that the cited prior art does not teach or suggest “wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.” (Office Action mailed February 10, 2005, at page 3). Since dependent claim 10 is not taught or suggested by the cited prior art, claim 10 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 10, and the rejection of claim 10 under 35 U.S.C. § 103(a) should be withdrawn.

I. Rejection of Claim 11 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Vertheim

Dependent claim 11 recites “the server management card of claim 10, wherein the network address information output from the server management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.” The Examiner stated that “[a]s per claims 9-13, they are rejected under similar rationale as for claims 1-6 above.” (Office Action mailed

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February 10, 2005 at page 4). Dependent claim 4 recites "the server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands." Regarding dependent claim 4, the Examiner stated that "since the management card is for managing the host processing cards in the chassis. It would have been obvious to use the management card to send other configuration data beside the IP addresses to the host processing cards." (Office Action mailed February 10, 2005, at pages 3-4). There is no teaching or suggestion in Verthein that the computing card 24 "is for managing the host processing cards in the chassis". The Examiner has not identified any disclosure in Verthein that teaches or suggests sending IP addresses "or other configuration data" from the computing card 24. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 11.

Since dependent claim 11 is not taught or suggested by the cited prior art, claim 11 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 11, and the rejection of claim 11 under 35 U.S.C. § 103(a) should be withdrawn.

J. Rejection of Claim 12 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein

Dependent claim 12 recites "the server management card of claim 9, wherein the network address information includes internet protocol (IP) address information." The Examiner stated that "[a]s per claims 9-13, they are rejected under similar rationale as for claims 1-6 above." (Office Action mailed February 10, 2005 at page 4). Dependent claim 5 recites "the server system of claim 1, wherein the network address information includes internet protocol (IP) address information." With respect to claim 5, the Examiner stated that "manual assignment of IP address to the host processing card is in the admitted prior (see Applicant's specification page 1)." (Office Action mailed February 10, 2005, at page 5). The "admitted prior art" does not teach or suggest a management card configured to send received network address information to a plurality of host processor cards via at least one bus. The "admitted prior art" does not teach or suggest a management card configured to

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send received internet protocol (IP) address information to a plurality of host processor cards via at least one bus. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 12.

Since dependent claim 12 is not taught or suggested by the cited prior art, claim 12 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 12, and the rejection of claim 12 under 35 U.S.C. § 103(a) should be withdrawn.

K. Rejection of Claim 13 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Dependent claim 13 recites “the server management card of claim 12, wherein the IP address information includes an IP address, gateway address, subnet address, and host name.” The Examiner stated that “[a]s per claims 9-13, they are rejected under similar rationale as for claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). Dependent claim 6 recites “wherein the IP address information includes an IP address, gateway address, subnet address, and host name.” The Examiner has not identified any prior art that teaches or suggests the limitations of claim 6 or claim 13. Since dependent claim 13 is not taught or suggested by the cited prior art, claim 13 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 13, and the rejection of claim 13 under 35 U.S.C. § 103(a) should be withdrawn.

L. Rejection of Claim 15 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Independent claim 15 recites “entering network address information to the management card through the at least one user interface” and “sending entered network address information from the management card to the host processor cards, thereby configuring the host processor cards for management network communications.” With respect to claim 15, the Examiner stated that “[a]s per claims 15-19, they are method corresponding the (sic) the system claims 1-6. Hence, they are rejected under similar

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rationale as claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). For at least the reasons set forth above with respect to claim 1, the above-quoted limitations of independent claim 15 are also not taught or suggested by the cited prior art, either alone, or in combination.

Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 15, and the rejection of claim 15 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 16-19 further limit patentably distinct claim 15, and are believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 16-19, and the rejection of claims 16-19 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 16-19 are also further distinguishable over the cited prior art, as addressed in further detail below.

M. Rejection of Claim 16 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Dependent claim 16 recites “the method of claim 15, wherein the at least one bus is an I²C bus.” The Examiner stated that “[a]s per claims 15-19, they are method corresponding the (sic) the system claims 1-6. Hence, they are rejected under similar rationale as claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). The Examiner acknowledged with respect to claim 2 that the cited prior art does not teach or suggest “wherein the at least one bus is an I²C bus.” (Office Action mailed February 10, 2005, at page 3). Since dependent claim 16 is not taught or suggested by the cited prior art, claim 16 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 16, and the rejection of claim 16 under 35 U.S.C. § 103(a) should be withdrawn.

N. Rejection of Claim 17 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Dependent claim 17 recites “the method of claim 16, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.” The Examiner stated that “[a]s

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per claims 15-19, they are method corresponding the (sic) the system claims 1-6. Hence, they are rejected under similar rationale as claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). The Examiner acknowledged with respect to claim 3 that the cited prior art does not teach or suggest “wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.”. (Office Action mailed February 10, 2005, at page 3). Since dependent claim 17 is not taught or suggested by the cited prior art, claim 17 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 17, and the rejection of claim 17 under 35 U.S.C. § 103(a) should be withdrawn.

O. Rejection of Claim 18 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Dependent claim 18 recites “the method of claim 17, wherein the network address information sent from the management card to the host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.” The Examiner stated that “[a]s per claims 15-19, they are method corresponding the (sic) the system claims 1-6. Hence, they are rejected under similar rationale as claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). Dependent claim 4 recites “the server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.” Regarding dependent claim 4, the Examiner stated that “since the management card is for managing the host processing cards in the chassis. It would have been obvious to use the management card to send other configuration data beside the IP addresses to the host processing cards.” (Office Action mailed February 10, 2005, at pages 3-4). There is no teaching or suggestion in Verthein that the computing card 24 “is for managing the host processing cards in the chassis”. The Examiner has not identified any disclosure in Verthein that teaches or suggests sending IP addresses “or other configuration data” from the computing card 24. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 18.

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Since dependent claim 18 is not taught or suggested by the cited prior art, claim 18 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 18, and the rejection of claim 18 under 35 U.S.C. § 103(a) should be withdrawn.

P. Rejection of Claim 19 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art” in view of Verthein

Dependent claim 19 recites “the method of claim 15, wherein the network address information includes an internet protocol (IP) address, gateway address, subnet address, and host name.” The Examiner stated that “[a]s per claims 15-19, they are method corresponding the (sic) the system claims 1-6. Hence, they are rejected under similar rationale as claims 1-6 above.” (Office Action mailed February 10, 2005 at page 4). Dependent claim 6 recites “wherein the IP address information includes an IP address, gateway address, subnet address, and host name.” The Examiner has not identified any prior art that teaches or suggests the limitations of claim 6 or claim 19. Since dependent claim 19 is not taught or suggested by the cited prior art, claim 19 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 19, and the rejection of claim 19 under 35 U.S.C. § 103(a) should be withdrawn.

III. Rejections of claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art, and further in view of Verthein and Liu.

The Examiner rejected claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over “the admitted prior art,” in view of Verthein and Liu, U.S. Patent No. 6,185,110 (“Liu”). Dependent claims 8, 14, and 20 further limit patentably distinct claims 1, 9, and 15, respectively. The cited prior art does not teach or suggest the limitations of these independent claims addressed above.

Since dependent claims 8, 14, and 20 further limit patentably distinct claims 1, 9, and 15, respectively, and are further distinguishable over the cited prior art, claims 8, 14, and 20 are believed to be allowable over the cited prior art. Appellants respectfully submit that the

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Examiner has not established a *prima facie* case of obviousness of claims 8, 14, and 20, and the rejection of claims 8, 14, and 20 under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

For the above reasons, Appellants respectfully submit that the cited references neither anticipate nor render obvious claims of the pending Application. The pending claims distinguish over the cited references, and therefore, Appellants respectfully submit that the rejections must be withdrawn, and respectfully request the Examiner be reversed and claims 1-20 be allowed.

Any inquiry regarding this Appeal Brief should be directed to either David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854 or Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Thane M. Larson et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-0178
Facsimile: (612) 573-2005

Dated: 1/3/06
JAH:jmc

Jeff A. Holmen
Jeff A. Holmen
Reg. No. 38,492

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via telefacsimile to Examiner Dung C. Dinh, Group Art Unit 2152, at Fax No. (571) 273-8300 on this 3rd day of January, 2006.

By: Jeff A. Holmen

Name: Jeff A. Holmen

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CLAIMS APPENDIX

- 1.(Original) A server system comprising:
 - a plurality of host processor cards;
 - a management card coupled to the plurality of host processor cards via at least one bus, the management card including at least one user interface for receiving network address information from a user, the management card configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications.
- 2.(Original) The server system of claim 1, wherein the at least one bus is an I²C bus.
- 3.(Original) The server system of claim 2, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.
- 4.(Original) The server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.
- 5.(Original) The server system of claim 1, wherein the network address information includes internet protocol (IP) address information.
- 6.(Original) The server system of claim 5, wherein the IP address information includes an IP address, gateway address, subnet address, and host name.
- 7.(Original) The server system of claim 1, wherein the at least one user interface includes at least one serial port and at least one LAN interface.
- 8.(Original) The server system of claim 7, wherein the at least one user interface further includes at least one LCD panel mounted on the server system.

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9.(Original) A server management card for a server system having a plurality of host processor cards, the server management card comprising:

- at least one user interface for allowing a user to enter network address information;
- at least one I²C bus connection for connecting the server management card to the plurality of host processor cards via at least one I²C bus; and
- a controller configured to output entered network address information to the plurality of host processor cards via the at least one I²C bus connection, thereby configuring the plurality of host processor cards for network communications.

10.(Original) The server management card of claim 9, wherein the at least one I²C bus is an intelligent platform management interface (IPMI) I²C bus.

11.(Original) The server management card of claim 10, wherein the network address information output from the server management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.

12.(Original) The server management card of claim 9, wherein the network address information includes internet protocol (IP) address information.

13.(Original) The server management card of claim 12, wherein the IP address information includes an IP address, gateway address, subnet address, and host name.

14.(Original) The server management card of claim 9, wherein the at least one user interface includes at least one serial port, at least one LAN interface, and at least one LCD panel mounted on the server system.

15.(Original) A method of configuring host processor cards in a server system for management network communications, the method comprising:

- providing a management card in the server system having at least one user interface;

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providing at least one bus connecting the management card and the host processor cards;

entering network address information to the management card through the at least one user interface; and

sending entered network address information from the management card to the host processor cards, thereby configuring the host processor cards for management network communications.

16.(Original) The method of claim 15, wherein the at least one bus is an I²C bus.

17.(Original) The method of claim 16, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.

18.(Original) The method of claim 17, wherein the network address information sent from the management card to the host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.

19.(Original) The method of claim 15, wherein the network address information includes an internet protocol (IP) address, gateway address, subnet address, and host name.

20.(Original) The method of claim 15, wherein the at least one user interface includes at least two of a serial port, a LAN interface, and an LCD panel mounted on the server system.

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EVIDENCE APPENDIX

None.

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RELATED PROCEEDINGS APPENDIX

None.